

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

AMY MISCHLER,

Plaintiff,

v.

Case No.: 2:19-cv-777-FtM-38MRM

MICHAEL MCPHERSON, MICHAEL
MCHUGH, JACK LUNDY and DAVID
HARDIN,

Defendants.

ORDER¹

Before the Court is a sua sponte review of the file. Plaintiff Amy Mischler filed this case on October 25, 2019. ([Doc. 1](#)). Mischler, however, failed to serve any Defendants within ninety days as required by [Federal Rule of Civil Procedure 4\(m\)](#). On January 24, 2020, the Court issued an order to show cause why the case should not be dismissed for failure to serve and failure to prosecute. ([Doc. 11](#)). And the Court warned Mischler that failure to comply would result in dismissal of the action without further notice. ([Doc. 11](#)). Mischler never responded and the time to do so passed. Thus, the Court dismisses this case for failure to serve under [Rule 4\(m\)](#) and failure to prosecute under the [Middle District of Florida's Local Rule 3.10\(a\)](#).


Accordingly, it is now

ORDERED:

¹ Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

1. This case is **DISMISSED without prejudice** for failure to serve and failure to prosecute.
2. The Clerk is **DIRECTED** to enter judgment, terminate any pending motions or deadlines, and close the file.

DONE and **ORDERED** in Fort Myers, Florida this 10th day of February, 2020.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record